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SECRETARIAT  
OF  
THE ODISHA LEGISLATIVE ASSEMBLY  
NOTIFICATION

The 29th August, 2012

No.9169/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 29th August, 2012 is herewith published under Rule 68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information.

**THE ODISHA MUNICIPAL LAWS (AMENDMENT) BILL, 2012**

**A  
BILL**

FURTHER TO AMEND THE ODISHA MUNICIPAL ACT, 1950 AND  
THE ODISHA MUNICIPAL CORPORATION ACT, 2003.

**BE** it enacted by the Legislature of the State of Odisha in  
the Sixty-third Year of the Republic of India as follows:—

CHAPTER I  
PRELIMINARY

Short title  
and  
commence-  
ment.

**1.** (1) This Act may be called the Odisha Municipal Laws  
(Amendment) Act, 2012.

(2) It shall come into force on such date as the State  
Government may, by notification, appoint.

CHAPTER II  
AMENDMENT TO THE ODISHA MUNICIPAL ACT, 1950

Amendment  
of  
section 11.

**2.** In the Odisha Municipal Act, 1950 (hereinafter referred to  
as the principal Act), in Section 11,—

Odisha Act  
23 of 1950.

(a) in sub-section (1), after the words “Municipal area”  
occurring at the end, the words “after every two terms of  
general election” shall be inserted;

(b) in sub-section (2),—

- (i) for the words and comma “but not less than, one-third”, the words and comma “but not less than, one-half” shall be substituted; and
- (ii) the proviso shall be omitted;

(c) in sub-section (3), after the word “constitution” occurring at the end, the words “and such seats shall be allotted by the rotation to different wards in a Municipal area after every two terms of general election” shall be inserted;

(d) in sub-section (3-A),—

- (i) for the word “one-third”, the words and comma “but not less than, one-half” shall be substituted; and
- (ii) the proviso shall be omitted; and

(e) in sub-section (4),—

- (i) for the words and comma “but not less than, one-third”, the words and comma, “but not less than, one-half” shall be substituted; and
- (ii) after the words “Municipal area” occurring at the end, the words “after every two terms of general election” shall be inserted.

**3. In the principal Act, in section 47,—**

(a) in sub-section (3),—

- (i) in clause (b), for the word “one-third”, the commas and words “,but not less than, one-half” shall be substituted;
- (ii) in clause (c), for the word “one-third”, the commas and words “,but not less than, one-half” shall be substituted; and
- (iii) in clause (e), for the word “one-third”, the words and comma “but not less than, one-half” shall be substituted; and

(b) in sub-section (4), after the words “different Municipalities”, the commas and the words “,after every two terms of general election,” shall be inserted.

3  
CHAPTER III

AMENDMENT TO ODISHA MUNICIPAL CORPORATION ACT, 2003

Amendment of  
section 7.

**4.** In the Odisha Municipal Corporation Act, 2003, (hereinafter referred to as the principal Act), in Section 7,—

Odisha Act  
11 of 2003.

(a) in sub-section (2),—

(i) for the words “but not less than one-third”, the words and comma “but not less than, one-half” shall be substituted; and

(ii) the proviso shall be omitted;

(b) in sub-section (4),—

(i) for the word “one-third”, the words and comma “but not less than, one-half” shall be substituted; and

(ii) the proviso shall be omitted;

(c) in sub-section (5), —

(i) for the words “but not less than one-third”, the words and comma “but not less than, one-half” shall be substituted; and

(d) for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) Reservation of seats under sub-sections (1) to (5), both inclusive, shall be made by rotation to different wards, after every two terms of general election, in such manner as may be prescribed.”

Amendment of  
section 14.

**5.** In the principal Act, in Section 14,—

(a) in sub-section (3),—

(i) in clause (b), for the word “one-third”, the words and comma “but not less than, one-half” shall be substituted;

(ii) in clause (c), for the word “one-third”, the commas and words “but not less than, one-half” shall be substituted; and

(iii) in clause (e), for the word “one-third”, the words and comma “but not less than, one-half” shall be substituted; and

(b) in sub-section (4), after the words “different Corporations”, the words and commas “after every two terms of general election,” shall be inserted.

## STATEMENT OF OBJECTS AND REASONS

At present one-third of the seats in Urban Local Bodies are reserved for women whereas their population is almost equal to that of men. Recently the Government has enhanced the representation of women in Panchayati Raj Institutions to one-half (from one-third), which has contributed to the empowerment of women in rural areas.

2. Similar need is felt in the case of Urban Local Bodies as well as women in Urban areas too face many constraints, particularly in the areas of health, water supply, sanitation, education, livelihood, etc. As such, there is a lack of level playing field due to which they are unable to effectively participate in the decision making process at par with their male counterparts in urban areas. Therefore, it is desirable to enable women to adequately participate in the developmental process for achieving social and economic justice in urban areas as well.

3. The seats and offices of the Chairpersons of Urban Local Bodies are reserved on rotation basis for SC/ST/OBC & Women after every general election to Urban Local Bodies as per the existing provisions in the Odisha Municipal Act, 1950 and Odisha Municipal Corporation Act, 2003 and the rules made under the said Acts. Such short term of reservation of seat and offices do not attract more candidatures to participate in the election and in decision making process of the Local Self Government with the apprehension that they may not get scope to be re-elected due to the operation of single term rotation policy of reservation in the existing law which may prompt them to neglect local issues. Hence, the seat and offices of the urban Local Bodies needs to be reserved for two terms instead of after every general election by amending the provision as has been done in the case of Panchayati Raj Institutions.

4. Accordingly, the Government considers it expedient to suitably amend the provisions of the Odisha Municipal Act, 1950 and Odisha Municipal Corporation Act, 2003 enhancing the reservation of seats of Councillor / Corporator and office of the Chairperson/ Mayor for women from one-third to one-half and to make reservation for two terms instead of every general election as has been done in the case of Panchayati Raj Institutions.

The Bill seeks to achieve the above objectives.

RAGHUNATH MOHANTY

*Member-In-Charge*

A. K. SARANGI

*Secretary*

*Odisha Legislative Assembly*